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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/827,866	04/06/2001	Geetha Srikantan	SUN-P4967-MDL	6073
22200	7590	03/21/2005	EXAMINER	
PARK, VAUGHAN & FLEMING LLP 702 MARSHALL STREET SUITE 310 REDWOOD CITY, CA 94063			BUI, KIEU OANH T	
			ART UNIT	PAPER NUMBER
			2611	

DATE MAILED: 03/21/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/827,866	SRIKANTAN ET AL.	
	Examiner	Art Unit	
	KIEU-OANH T BUI	2611	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>04/04/2002</u> . | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

*A person shall be entitled to a patent unless --
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.*

2. Claims 1-18 are rejected under 35 U.S.C. 102(b) as being anticipated by Duso et al. (U.S. Patent No. 5,892,915).

Regarding claim 1, Duso discloses “a method of streaming media to multiple clients, comprising: receiving a request to stream media from a media track to a first client; extracting a set of metadata from the media track, wherein said metadata facilitates identification and retrieval of the media from the media track; storing said extracted set of metadata in a memory; streaming the media to the first client in a first stream while referring to said stored metadata; and streaming the media to a second client in a second stream while referring to said stored metadata”, i.e., Figure 2 of Duso teaches a video file server for providing streaming media to a plurality of clients based on receiving a request from a media track to the client, and based on identification of metadata of the associated track which stored in a memory, the streaming data is delivered to the clients accordingly to each individual requests, see col. 2/lines 15-25 for server with descriptors and metadata; col. 2/line 47-col. 3/line 13 for a client-server broadcast playback protocol for playing pre-recorded stream media or live media; col. 5/lines 15-28 for Figure 1 & video file server; and col. 6/lines 1-60 for an overview operation of Figure 2 as the client requests for streaming media from the video file server.

As for claim 2, Duso discloses “comprising: maintaining a first file descriptor for retrieving the media from the media track for said first stream; and maintaining a second file descriptor for retrieving the media from the media track for said second stream” (Figs. 11 & 12, and col. 19/line 15 to col. 20/line 40 for prefetch routines in searching and looking for a media track as well as scheduling requested stream to the clients, and Fig. 13 shows for delivering streams to more than one client, see further on col. 20/line 41-col. 21/line 3).

As for claims 3 and 4, Duso discloses “wherein the media track is a track of a live media event” and “wherein the media track is a track of a pre-recorded media program” (col. 5/lines 29-47 for a wide variety of applications including live and pre-recorded media streams).

Regarding claim 5, Duso discloses “a method of using a single set of media metadata to facilitate streaming the media to multiple clients, comprising: receiving a request to stream media from a first media track to a first client, wherein the first media track also includes metadata corresponding to the media; invoking a track module configured to maintain one copy of said metadata in a memory; operating a first track handler to stream the media to the first client, wherein said first track handler accesses said metadata to facilitate said streaming; receiving a request to stream the media to a second client before said streaming of the media to the first client is terminated; and operating a second track handler to stream the media to the second client, wherein said second track handler accesses said metadata to facilitate said streaming; wherein said metadata is configured to facilitate retrieval of the media from the first media track”, i.e., Figure 2 of Duso teaches a video file server for providing streaming media to a plurality of clients based on receiving a request from a media track to the client, and based on identification of metadata of the associated track which stored in a memory, the streaming data is

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delivered to the clients accordingly to each individual requests, see col. 2/lines 15-25 for server with descriptors and metadata; col. 2/line 47-col. 3/line 13 for a client-server broadcast playback protocol for playing pre-recorded stream media or live media; col. 5/lines 15-28 for Figure 1 & video file server; and col. 6/lines 1-60 for an overview operation of Figure 2 as the client requests for streaming media from the video file server; furthermore, Figs. 11 & 12 for software routines, and col. 19/line 15 to col. 20/line 40 for prefetch routines in searching and looking for a media track as scheduling requested stream to the clients, and Fig. 13 shows for delivering streams to more than one client, see further on col. 20/line 41-col. 21/line 3; and Fig. 7, col. 11/line 50 to col. 12/line 67 for Thread Scheduler for handling scheduling of media tracks.

As for claims 6-10, Duso discloses these claims for the steps of “wherein said operating a first track handler comprises using a first file descriptor to retrieve the media from the first file track; and said operating a second track handler comprises using a second file descriptor to retrieve the media from the first file track”; “wherein said operating a first track handler comprises establishing a first set of references to said metadata; using said first set of references to identify a first portion of the media to be streamed to the first client for a first time index; and using said first set of references to locate said first media portion in the first media track”; “wherein said operating a second track handler comprises: establishing a second set of references to said metadata; using said second set of references to identify a second media portion to be streamed to the second client for a second time index; and using said second set of references to locate said second media portion in the first media track”; “wherein said first set of references and said second set of references are used to access said metadata simultaneously” and “comprising: removing said metadata from the memory after said first stream and said second

stream are terminated” which refers to the scheduling procedure and software routines as discussed earlier in scheduling media tracks and further based on index for locating portions or segments of media tracks (Fig. 17, and col. 24/lines 35).

Regarding claims 11-18, these claims for “a computer readable storage medium storing instructions that, when executed by a computer, cause the computer to perform a method of streaming media to multiple clients, the method comprising: receiving a request to stream media from a media track to a first client; extracting a set of metadata from the media track, wherein said metadata facilitates identification and retrieval of the media from the media track; storing said extracted set of metadata in a memory; streaming the media to the first client in a first stream while referring to said stored metadata; and streaming the media to a second client in a second stream while referring to said stored metadata” and “a computer readable storage medium containing a data structure configured for facilitating the simultaneous streaming of media from a media track to multiple clients, the data structure comprising: a set of metadata configured to associate time indices of the media track with corresponding portions of the media, and to locate said corresponding portions within the media track; wherein said set of metadata is simultaneous accessed by each of multiple client stream handlers, wherein each stream handler is associated with a different client, to facilitate retrieval of different portions of the media for streaming to their respective clients”; and “an apparatus for streaming media to clients, comprising: a first track of a media program stored on a first storage device, the first media track comprising media; and metadata configured to facilitate access to the media; a first memory; a set of track handle modules, wherein each of said track handle modules is configured to facilitate streaming the media to a different client; and a track module configured to store said metadata in said first

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memory for shared access by said track handle modules; wherein said track handle modules access said metadata to identify portions of the media and locate said portions on the first storage device” with same limitations are rejected for the reasons given in the scope of claims 1-5 as discussed above not limited to the cited paragraphs but also to the entire reference of Duso.

Conclusion

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Son et al (US Patent Pub 2002/0047899 A1) discloses a system related to providing streaming media to users.

4. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park I.I., 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Krista Kieu-Oanh Bui whose telephone number is (703) 305-0095. The examiner can normally be reached on Monday-Friday from 9:00 AM to 6:30 PM, with alternate Fridays off.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christopher Grant, can be reached on (703) 305-4755.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

KB
Mar.15, 2005

A handwritten signature in black ink, appearing to read 'K. Bui', with a stylized flourish extending to the right.

Krista Bui
Primary Examiner
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